

REMARKS

The undersigned is submitting this Amendment, responsive to the Notice of Non-Compliant Amendment, based upon our Amendment filed on October 14, 2003. It is noted that subsequent to the Amendment filed on October 14, 2003, applicant has filed Amendment C on October 22, 2003 and Amendment D on November 21, 2003. Applicant is then incorporating the amended claims included in Amendment C and Amendment D and is enclosing the remark section of Amendment D herewith.

It is noted that applicant was under the impression that claims 1-15 were already deleted by the Examiner in an Examiner's Amendment. We apologize for any confusion created by the omission of cancelled claims 1-15. These claims are cancelled herewith, as well as amending claim 16 and adding new claims 23-29.

As previously discussed with the Examiner, the present invention is directed to a method of enabling a plurality of vendors to transmit inventory information to an exchange platform at differing rate intervals. One of the purposes of the present invention is to allow an exchange platform to be created such that different types of vendors would supply inventory information to the exchange platform allowing one or more buyers to review this inventory information. Based upon the frequency that the exchange platform would allow the vendors to transmit information to be reviewed by the buyer, each vendor would be charged an appropriate fee. As can be appreciated, the more frequently the vendor would supply inventory information to the exchange platform, the larger the fee would be.

Although the buyer would more than likely not be aware of the fact that various vendors are transmitting information at differing rate intervals, the buyer would still have the opportunity to review the information transmitted from the first, second and third group of vendors as recited in independent claim 6. The fact that the buyer might not perceive the fact that various vendors are transmitting information at differing rate

intervals would not defeat the teachings as recited in claim 16, since the buyer would be able to review all the information transferred from the various vendors at the differing rate intervals. It is not of crucial importance that the buyer would know that different vendors are transmitting information at differing rate intervals, what is important is that the buyer would review all the information transmitted by the inventors, regardless of the rate intervals.

The undersigned greatly appreciates the interview conducted by the Examiner on November 14, 2003. As a result of this interview, we are providing the Examiner with additional claims 23-29 which claim the invention in a precise manner.

During the course of the aforementioned interview, the present invention was discussed. It was stressed to the Examiner that the present invention is directed to a method of presenting inventory information from a plurality of vendors to at least one buyer. This method includes the establishment of an exchange platform through which inventory information is provided from three sets of vendors, search time participants, order time participants and real time participants to one or more buyers. This inventory information is updated during different times of a 24 hour day. The inventory information from a search time participant would be transmitted to the exchange platform perhaps once or twice a day. Inventory information from the order time participants would be transmitted to the exchange platform at a greater frequency not to exceed every five minutes. Inventory information from the real time participants would be transmitted to the exchange platform in real time whenever inventory information is changed.

The buyer would then have an opportunity to review the information included in the exchange platform provided by the search time participants, the order time participants and the real time participants. If the buyer was interested in purchasing inventory from the search time participant, a purchase order would be sent directly to the search time participant via telephone, e-mail or the like, but not through exchange platform. When dealing

with an order time participant, the buyer would transmit a purchase order directly to an order time approval program contained in the exchange platform. This purchase order would request the purchase of a particular item either at the price proposed by the order time participant or a target price proposed by the buyer. The order time participant would then have the opportunity to accept or reject the purchase order. Similarly, the buyer would transmit a purchase order to the real time participant who would also have the opportunity to accept or reject the purchase order.

With the present amendment, the undersigned is including new claims 23-29 detailing the invention with more specificity than the subject matter recited in claims 16-22. However, the undersigned has not cancelled claims 16-22 since it is believed that these claims also recite the invention in a patentable manner.

It is believed that all of the claims now contained in this application recite the invention in a precise manner not anticipated or rendered obvious by the prior art. Consequently, allowance of this application is earnestly solicited.

Respectfully submitted,

by 

Mitchell B. Wasson, Reg. 27,408

February 27, 2004

HOFFMAN, WASSON & GITLER, PC  
2361 Jefferson Davis Highway  
Suite 522  
Arlington, Virginia 22202

Attorney's Docket: A-7057.CIP.AME/lat